



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION II
NEW YORK, NEW YORK 10007

SUBJECT: Confirmation of Verbal Authorization for an Emergency Removal Action at Niagara Falls Boulevard Site in Niagara Falls, NY

FROM: Eric M. Daly, On Scene Coordinator

TO: Walter E. Mugdan, Director
Emergency and Remedial Response Division

THRU: Eric Mosher, Chief
Response and Prevention Branch

The purpose of this memorandum is to confirm the Division Director's May 13, 2016 verbal authorization of \$500,000.00 in mitigation funding and \$100,000.00 in RST contractor funding for a total project ceiling of \$600,000.00 to initiate an emergency Comprehensive Environmental Response Compensation and Liability Act (CERCLA) removal action at the Niagara Falls Boulevard Site (Site ID# A23Q).

In 1978, the U.S. Department of Energy (DOE) conducted an aerial radiological survey of the Niagara Falls region and found more than 15 properties, including the Site, having elevated levels of radiation above background levels. It is believed that, in the early 1960s, slag from the Union Carbide facility located on 47th Street in Niagara Falls was used as fill on the properties prior to paving.

In February 1980, the New York State Department of Health (NYSDOH) Bureau of Radiological Health and the Niagara County Health Department conducted a radiological survey of the Holy Trinity Cemetery site to identify areas of elevated radioactivity as a result of radioactive slag having been used on the property for fill. The survey was conducted based on information that the slag used at the cemetery was from the same source used at two other locations in nearby Niagara Falls, which had been identified by the NYSDOH as containing elevated levels of radioactivity. During the survey, cemetery personnel showed NYSDOH a slag pile located near the caretaker's garage in the western portion of the property. Cemetery personnel stated that this slag was used as fill for the cemetery roads throughout the property.

Niagara Falls Boulevard Site (Site) was referred to the EPA by the NYSDEC and NYSDOH on July 21, 2013. No other removal actions have been taken by other government or private parties prior to this request.

From December 2013 through May 2014, EPA Pre-Remedial conducted preliminary assessment at the Site. The program concluded that the Site did not meet the minimum criteria to be eligible for the inclusion on the EPA National Priorities List (NPL) for remediation. However, EPA continued to assess the site to determine if an action under the Removal Program is warranted.

From July 2015-August 2015, the USEPA Region 2 Removal Program conducted a Removal Assessment Evaluation (RSE) by further assessing radiological exposures in the interior and exterior of the property. The goal for this assessment was to determine the extent of contamination (i.e. how far does the contamination extend beyond the contamination area of concern determined by Pre-Remedial Program), as well as, determine interior contamination impacts (i.e. are workers/patrons exposed to elevated levels of radon/thoron or loose contamination).

Based on the conditions observed at the Site during the RSE, an emergency CERCLA removal action is warranted to begin the removal of the contaminated material in both the interior buildings and the parking lot surrounding both buildings to prevent further public exposure.

The removal action activities proposed for the Site and authorized by this Confirmation of Verbal Authorization will include:

- Begin construction of alternate storage room for GNBC Office Area materials.
- Clearing and removal of above ground vegetation in designated staging areas.
- Gamma survey of the proposed staging areas in the wooded areas.
- Demolition of GNBC Office Area office non load bearing walls.
- Remove concrete flooring from GNBC Office Area and two Warehouse Areas.
- Excavate and stage contaminated material from GNBC Office Area and two Warehouse Areas in designated staging area.
- Post excavation sampling of GNBC Office and Warehouse Areas
- Begin removal of asphalt and excavation of contaminated material from specific sections of the parking lot.

This confirmation memorandum will be followed by a full Action Memorandum to document the removal action and to request a 12-month exemption and ceiling increase.



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CONCURRENCES Name: Date: Filename:								
Symbol	ERRD-RPB	ERRD-RPB	ERRD-ADD	ERRD-AD				
Surname	Daly	Mosher	Carpenter	Mugdan				

								
Date	05/20/2016							